



Sen. Don Harmon

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09900HB2635sam001

LRB099 03902 JLS 35351 a

1 AMENDMENT TO HOUSE BILL 2635

2 AMENDMENT NO. _____. Amend House Bill 2635 on page 2 by
3 replacing lines 12 and 13 with the following:

4 "bond;"; and

5 on page 3 by replacing lines 12, 13, and 14 with the following:

6 "(3) "Lien claim" means a claim, excluding interest and
7 attorney's fees, on account of which (A) a notice or
8 amended notice of claim for lien under Section 24 of this
9 Act has been served; (B) a claim or amended claim for lien
10 under Section 7 of this"; and

11 on page 3, line 23, by changing "recovers" to "is awarded a
12 judgment equal to"; and

13 on page 3, line 24, by changing "recovers" to "is awarded a
14 judgment equal to"; and

1 on page 3, line 26, by inserting immediately after the period
2 the following:

3 "For purposes of determining the prevailing party, the amount
4 of the lien claim shall be reduced by any payments received by
5 the lien claimant from any source before the entry of judgment
6 or otherwise upon petition by the lien claimant, but only for
7 good cause shown. If any party makes a payment to the lien
8 claimant within 5 months of the filing of a complaint under
9 this Section, the principal on the bond may petition the court
10 for a reduction of the bond equal to the amount of the payment
11 made."; and

12 on page 4 by replacing lines 14 through 18 with the following:

13 "mechanics lien claim. The petition shall be verified and
14 shall"; and

15 on page 6 by replacing lines 3 and 4 with the following:

16 "the petition and his or her attorney of record in a pending
17 action on the lien claim, a copy of the petition attached
18 together with the"; and

19 on page 8 by replacing line 26 with the following:

20 "the lien claim count or counts may be dismissed. An action
21 under this Section does not preclude a claimant from bringing
22 any other actions that do not arise under this Act."; and

1 on page 9 by replacing lines 1 through 9 with the following:

2 "(i) Subject to the defenses allowable under subsection
3 (j)"; and

4 on page 9, line 16, by inserting "reasonable" after "its"; and

5 on page 9, line 24, by changing "(k)" to "(j)"; and

6 on page 10, line 4, by changing "(l)" to "(k)"; and

7 on page 10, line 10, by changing "(m)" to "(l)".